

# **TITLE 312 NATURAL RESOURCES COMMISSION**

## **Emergency Rule LSA Document #09-488(E)**

### **DIGEST**

Temporarily amends 312 IAC 9-3-2 to clarify the requirements for tagging a white-tailed deer that is taken by a hunter. Temporarily amends 312 IAC 9-3-2.5 to govern hunting white-tailed deer during the special youth season by adding additional license types and a rifle as a legal firearm that can be used to hunt deer. Temporarily amends 312 IAC 9-3-3 and 312 IAC 9-3-4 by adding new license types that can be used to hunt deer with firearms and with bows and arrows. Temporarily amends 312 IAC 9-3-5 by adding new license types and the city of Warsaw as an urban deer zone. Also temporarily amends 312 IAC 9-3-7 to govern hunting white-tailed deer in a designated county under an extra deer license by identifying counties for herd reduction. Effective September 1, 2009.

#### **SECTION 1. (a) This SECTION supersedes 312 IAC 9-3-2(h).**

**(b) A person must, immediately upon taking a deer, attach a piece of paper to the deer that states the following:**

- (1) The name and address of the person who took the deer.**
- (2) The license number (if applicable) of the person who took the deer.**
- (3) The sex of the deer.**
- (4) The month and day the deer was taken.**

**A deer must be tagged with the piece of paper before leaving the field. A deer that is in the field is not required to be tagged if the person who takes the deer maintains immediate custody of, and constant visual contact with, the deer carcass.**

#### **SECTION 2. (a) This SECTION supersedes 312 IAC 9-3-2(i).**

**(b) A person who takes a deer must cause delivery of the deer carcass to an official checking station for registration in the name of the person who took the deer on the occurrence of the earlier of the following:**

- (1) Within forty-eight (48) hours of the taking of the deer.**
- (2) Before the deer is removed from this state.**

**The person who delivers the deer carcass to an official checking station for registration must provide true and accurate information for the check station logs, including the name and license number of the person who took the deer and the date the deer was taken.**

#### **SECTION 3. (a) This SECTION supersedes 312 IAC 9-3-2.5(a) and governs the activities of an individual youth who is hunting deer.**

**(b) A youth hunter must be exempt from needing a license under IC 14-22-11-2 or be issued a license to hunt deer with a:**

- (1) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);**
- (2) nonresident youth deer muzzleloader license pursuant to IC 14-22-12-1(a)(30);**
- (3) nonresident youth deer archery license pursuant to IC 14-22-12-1(a)(31);**
- (4) nonresident youth extra deer archery or bonus antlerless license pursuant to IC 14-22-12-1(a)(32);**

(5) apprentice license of the types identified in subsections (1) through (4).

(c) As used in this SECTION, "youth" means an individual who is seventeen (17) years of age or younger on the date of the hunt.

**SECTION 4.** (a) This SECTION supersedes 312 IAC 9-3-2.5(e)(4) and governs the activities of an individual youth who is hunting deer.

(b) A youth hunter must not hunt deer with a firearm under this SECTION of this document except as follows:

(1) A shotgun:

(A) must have a gauge 10, 12, 16, 20, or .410 bore loaded with a single projectile; and

(B) may be possessed in the field outside lawful shooting hours only if there are no shells in the chamber or magazine.

(2) A muzzle loading gun must be .44 caliber or larger, loaded with a bullet at least .357 inch or larger. A muzzle loading gun must be capable of being loaded only from the muzzle, including both powder and bullet. A muzzle loading gun may be possessed in the field outside lawful shooting hours only if:

(A) for percussion firearms, the cap or primer is removed from the nipple or primer adapter; or

(B) for flintlock firearms, the pan is not primed.

(3) Over-and-under combination rifle-shotguns are prohibited.

(4) A rifle must fire a cartridge that meets the following specifications:

(A) fire a bullet of three hundred fifty-seven thousandths of an inch (.357) diameter or larger;

(B) have a minimum case length of one and sixteen hundredths (1.16) inches; and

(C) have a maximum case length of one and six hundred twenty-five thousandths (1.625) inches.

**SECTION 5.** (a) This SECTION supersedes 312 IAC 9-3-3(a) and governs hunting deer by firearms.

(b) An individual must be exempt from needing a license under IC 14-22-11-1 or be issued one of the following licenses to hunt deer with firearms during the season established in 312 IAC 9-3-3(b):

(1) resident deer firearms license pursuant to IC 14-22-11-10(a) or IC 14-22-12-1(a)(12);

(2) nonresident deer firearms license pursuant to IC 14-22-12-1(a)(15);

(3) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);

(4) nonresident youth deer firearms license pursuant to IC 14-22-12-1(a)(29);

(5) lifetime comprehensive hunting license pursuant to IC 14-22-12-7(a)(4);

(6) lifetime comprehensive hunting and fishing license pursuant to IC 14-22-12-7(a)(5);

(7) apprentice license of the types identified in subsections (1) through (4) pursuant to IC 14-22-12-1.

(c) An individual must be exempt from needing a license under IC 14-22-11-1 or be issued one of the following licenses to hunt deer with a muzzleloader during the season established in 312 IAC 9-3-3(c):

(1) resident deer muzzleloader license pursuant to IC 14-22-11-10(a) or IC 14-22-12-1(a)(13);

(2) nonresident deer muzzleloader license pursuant to IC 14-22-12-1(a)(16);

(3) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);

(4) nonresident youth deer muzzleloader license pursuant to IC 14-22-12-1(a)(30);

- (5) lifetime comprehensive hunting license pursuant to IC 14-22-12-7(a)(4);
- (6) lifetime comprehensive hunting and fishing license pursuant to IC 14-22-12-7(a)(5);
- (7) apprentice license of the types identified in subsections (1) through (4) pursuant to IC 14-22-12-1.

**SECTION 6. (a)** This SECTION supersedes 312 IAC 9-3-4(a) and governs hunting deer by bow and arrows.

**(b)** An individual must be exempt from needing a license under IC 14-22-11-1 or be issued one of the following licenses to hunt deer with a bow and arrows during the season established in 312 IAC 9-3-4(b):

- (1) resident deer archery license pursuant to IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
- (2) nonresident deer archery license pursuant to IC 14-22-12-1(a)(17);
- (3) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (4) nonresident youth deer archery license pursuant to IC 14-22-12-1(a)(31);
- (5) lifetime comprehensive hunting license pursuant to IC 14-22-12-7(a)(4);
- (6) lifetime comprehensive hunting and fishing license pursuant to IC 14-22-12-7(a)(5);
- (7) apprentice license of the types identified in subsections (1) through (4) pursuant to IC 14-22-12-1.

**SECTION 7. (a)** This SECTION supersedes 312 IAC 9-3-5(a) and governs extra deer.

**(b)** An individual must be exempt from needing a license under IC 14-22-11-1 or be issued one of the following licenses to hunt an extra deer with a bow and arrows during the seasons established in 312 IAC 9-3-4(b) and (c):

- (1) resident deer extra archery license pursuant to IC 14-22-11-10(a) or IC 14-22-12-1(a)(18);
- (2) nonresident deer extra archery license pursuant to IC 14-22-12-1(a)(19);
- (3) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (4) nonresident youth extra deer license pursuant to IC 14-22-12-1(a)(32);
- (5) lifetime comprehensive hunting license pursuant to IC 14-22-12-7(a)(4);
- (6) lifetime comprehensive hunting and fishing license pursuant to IC 14-22-12-7(a)(5);
- (7) apprentice license of the types identified in subsections (1) through (4) pursuant to IC 14-22-12-1.

**SECTION 8. (a)** This SECTION is supplemental to 312 IAC 9-3-5(e) and governs urban deer zones.

**(b)** The Warsaw urban deer zone includes the portion of Kosciusko County within the corporate limits of the city of Warsaw.

**SECTION 9. (a)** As anticipated by 312 IAC 9-3-7, this SECTION of this document governs hunting deer under an extra deer license.

**(b)** This SECTION of this document is supplemental to 312 IAC 9-3-2 and governs the activities of an individual who is either:

- (1) issued a license to take an extra deer under one of the following:
  - (A) resident extra bonus antlerless deer license pursuant to IC 14-22-11-10(a) or IC 14-22-12-1(a)(18);
  - (B) nonresident extra bonus antlerless deer license pursuant to IC 14-22-12-1(a)(19);

- (C) resident youth consolidated hunting license pursuant to IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) nonresident youth extra bonus antlerless deer license pursuant to IC 14-22-12-1(a)(32);
- (E) lifetime comprehensive hunting license pursuant to IC 14-22-12-7(a)(4);
- (F) lifetime comprehensive hunting and fishing license pursuant to IC 14-22-12-7(a)(5);
- (G) apprentice license of the types identified in subsections (A) through (D) pursuant to IC 14-22-12-1.7; or

(2) hunting under IC 14-22-11-1.

(c) A person must not take an antlerless deer under this SECTION unless the person possesses an extra bonus antlerless deer license issued by the department of natural resources, division of fish and wildlife, under this SECTION of this document.

(d) The season for hunting deer under this SECTION of this document is as follows:

- (1) From October 1, 2009 through November 29, 2009 with a bow and arrow.
- (2) From November 14, 2009 through November 29, 2009 with firearms.
- (3) From December 5, 2009 through December 20, 2009 with muzzle loading guns.
- (4) From December 5, 2009 through January 3, 2010 with a bow and arrow or crossbows.

(e) The seasonal limit for hunting under this SECTION of this document is one (1) antlerless deer for each license issued under this SECTION of this document.

(f) A person who hunts under this SECTION of this document must obtain an extra deer license for each deer.

(g) A person who hunts under this SECTION of this document may use bow and arrows, crossbow, or any firearms that may otherwise be lawfully used to take deer under 312 IAC 9-3.

(h) 312 IAC 9-3-3(d) through 312 IAC 9-3-3(f), and 312 IAC 9-3-4(e) through 312 IAC 9-3-4(h), apply to a license issued under this SECTION of this document.

(i) A person must not exceed the county bag limit from each county as follows:

- (1) Adams - 2.
- (2) Allen - 4.
- (3) Bartholomew - 4.
- (4) Benton - 1.
- (5) Blackford - 1.
- (6) Boone - 3.
- (7) Brown - 4.
- (8) Carroll - 3.
- (9) Cass - 3.
- (10) Clark - 8.
- (11) Clay - 4.
- (12) Clinton - 2.
- (13) Crawford - 4.
- (14) Daviess - 4.
- (15) Dearborn - 8.
- (16) Decatur - 2.
- (17) DeKalb - 4.
- (18) Delaware - 4.
- (19) Dubois - 4.

- (20) Elkhart - 8.
- (21) Fayette - 3.
- (22) Floyd - 8.
- (23) Fountain - 8.
- (24) Franklin - 8.
- (25) Fulton - 8.
- (26) Gibson - 8.
- (27) Grant - 3.
- (28) Greene - 4.
- (29) Hamilton - 3.
- (30) Hancock - 3.
- (31) Harrison - 8.
- (32) Hendricks - 8.
- (33) Henry - 3.
- (34) Howard - 4.
- (35) Huntington - 4.
- (36) Jackson - 4.
- (37) Jasper - 8.
- (38) Jay - 2.
- (39) Jefferson - 8.
- (40) Jennings - 4.
- (41) Johnson - 8.
- (42) Knox - 4.
- (43) Kosciusko - 8.
- (44) LaGrange - 8.
- (45) Lake - 8.
- (46) LaPorte - 8.
- (47) Lawrence - 3.
- (48) Madison - 8.
- (49) Marion - 8.
- (50) Marshall - 8.
- (51) Martin - 2.
- (52) Miami - 4.
- (53) Monroe - 4.
- (54) Montgomery - 4.
- (55) Morgan - 4.
- (56) Newton - 4.
- (57) Noble - 4.
- (58) Ohio - 8.
- (59) Orange - 4.
- (60) Owen - 3.
- (61) Parke - 8.
- (62) Perry - 4.
- (63) Pike - 4.
- (64) Porter - 8.
- (65) Posey - 4.
- (66) Pulaski - 4.
- (67) Putnam - 4.
- (68) Randolph - 1.
- (69) Ripley - 4.

- (70) Rush - 1.
- (71) St. Joseph - 8.
- (72) Scott - 8.
- (73) Shelby - 3.
- (74) Spencer - 3.
- (75) Starke - 4.
- (76) Steuben - 8.
- (77) Sullivan - 3.
- (78) Switzerland - 8.
- (79) Tippecanoe - 8.
- (80) Tipton - A.
- (81) Union - 2.
- (82) Vanderburgh - 8.
- (83) Vermillion - 8.
- (84) Vigo - 8.
- (85) Wabash - 3.
- (86) Warren - 8.
- (87) Warrick - 4.
- (88) Washington - 8.
- (89) Wayne - 3.
- (90) Wells - 1.
- (91) White - 4.
- (92) Whitley - 3.

A county bag limit of "A", as used in this subsection of this document, is one (1) antlerless deer. Notwithstanding subsection (d), a deer taken in a county with a bag limit of "A" must be taken only from November 26, 2009 through November 29, 2009 or from December 5, 2009 through January 3, 2010.

(j) The extra deer license authorized by this SECTION of this document does not apply to the department properties listed in this subsection. The license is invalid on these properties:

- (1) Atterbury Fish and Wildlife Area.
- (2) Chinook Fish and Wildlife Area.
- (3) Crosley Fish and Wildlife Area.
- (4) Francis Slocum State Forest.
- (5) Glendale Fish and Wildlife Area.
- (6) Green-Sullivan State Forest.
- (7) Hillenbrand Fish and Wildlife Area.
- (8) J. Roush Lake (including adjacent lands administered by the department of natural resources).
- (9) Kankakee Fish and Wildlife Area.
- (10) Kingsbury Fish and Wildlife Area.
- (11) Lasalle Fish and Wildlife Area.
- (12) Mississinewa Lake (including adjacent lands administered by the department of natural resources).
- (13) Patoka Lake, except east of State Road 145 (in Orange County and Crawford County) and south of State Road 164 (in Dubois County and Crawford County).
- (14) Pigeon River Fish and Wildlife Area.
- (15) Salamonie Lake (including adjacent lands administered by the department of natural resources).
- (16) Salamonie State Forest.

- (17) Splinter Ridge Fish and Wildlife Area.**
- (18) Stucker Fork Wildlife Management Area.**
- (19) Tri-County Fish and Wildlife Area.**
- (20) Wilbur Wright Fish and Wildlife Area.**
- (21) Willow Slough Fish and Wildlife Area.**
- (22) Winamac Fish and Wildlife Area.**

**(k) The extra deer license authorized by this SECTION of this document does not apply to the department properties listed in this subsection from November 14, 2009 through November 25, 2009. The license is invalid on these properties from November 14, 2009 through November 25, 2009:**

- (1) Fairbanks Landing Fish and Wildlife Area**
- (2) Minnehaha Fish and Wildlife Area.**

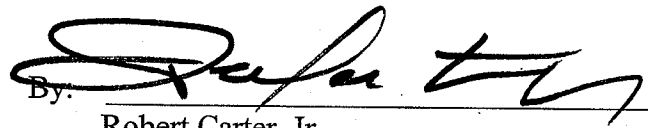
**SECTION 10. SECTIONS 1 through 9 of this document expire on February 1, 2010.**

# Rule Signature Page

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Rule #: LSA #09- **488** (E)  
Agency: Department of Natural Resources  
Subject: Deer Hunting

## ADOPTED:

By:  Date: 2/2/2009  
Robert Carter, Jr.  
Director  
Department of Natural Resources

## ACCEPTED FOR FILING:

By: \_\_\_\_\_

TITLE 312 NATURAL RESOURCES COMMISSION  
LSA Document #09-488(ER)

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